



City Council Agenda

Council President
Chris Mathys

Council Members

Garry Bredefeld
Mike Briggs, Acting President
Henry Perea

Sal Quintero
Daniel Ronquill
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cant Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, DECEMBER 8, 1998

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON WWW.CI.FRESNO.CA.US)

9:00 A.M. Roll Call

Invocation by John Overstreet, Fresno Police Department Chaplain

Pledge of Allegiance to the Flag

Resolution of Commendation to "Fidencio Amezquita and Victor Vallejo" - Councilmember Ronquillo

Presentation of Awards for Perfect Attendance to Students from Lawless Elementary School - Council President Mathys

Proclamation of "HANDCUFFS DAY" - Mayor Patterson

Resolution of Commendation to "Christmas at the Met" - Mayor Patterson

Presentation of Certificates to "1998 Junior and Senior Tri-County Champions of Pop Warner Youth Football" - Councilmember Quintero

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO

STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of December 1, 1998

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:15 A.M. HEARING to consider Rezoning Application No. R-98-23, and the Mitigated Negative Declaration for Environmental Assessment No. R-98-23/C-98-156, filed by Orange Avenue Disposal, Inc., property located on the southwest corner of Rice Road and Lanes Road

Action Taken:

- 1. BILL** - Amending the Official Zone Map from AE-5/UGM zone district to O/UGM zone district

Action Taken:

9:30 A.M.(1) HEARING to consider Rezoning Application No. R-98-32, filed by Orlyn Pratt, for 0.15 acre of property located at 715 E. Olive Avenue

Action Taken:

- 1. BILL** - Amending the Official Zone Map from P zone district to C-6 zone district

Action Taken:

9:30 A.M.(2) HEARING as required by Section 147(F) of the Internal Revenue Code of 1986 to hear and to consider information concerning the proposed issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority (CSCDA) to provide financing for the acquisition and rehabilitation of a multifamily residential rental project (Del Monte Pines Apartments)

Action Taken:

- 1. RESOLUTION** - Approving the issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority

Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 9:45 A.M.** **HEARING** to approve an amendment to the Consolidated Plan for the transfer of Section 108 loan funds
Action Taken:
- 10:00 A.M.** **HEARING** to consider the adoption of a resolution to vacate a portion of Hamilton Avenue between Parallel Avenue and Third Street and Orleans Avenue west of Second Street
Action Taken:
1. * **RESOLUTION** - Ordering the vacation of a portion of Hamilton Avenue between Parallel Avenue and Third Street and Orleans Avenue west of Second Street
Action Taken:
- 10:15 A.M.** **HEARING** to consider the adoption of a resolution to vacate a portion of Fresno Street between Divisadero Street & Illinois Avenue
Action Taken:
1. * **RESOLUTION** - Ordering the vacation of a portion of Fresno Street between Divisadero Street and Illinois Avenue
Action Taken:
- 10:20 A.M. - 10:30 A.M. - RECESS**
- 10:30 A.M.** **HEARING** to consider the adoption of a resolution to vacate a portion of Cornelia Avenue at Dante Avenue
Action Taken:
1. * **RESOLUTION** - Ordering the vacation of a portion of Cornelia Avenue at Dante Avenue
Action Taken:
- 10:45 A.M.** **HEARING** to consider Plan Amendment No. A- 98-16, filed by Madnav Suri, for 0.6 acre of property on the northwesterly corner of N. Eleventh Street and N. Cedar Avenue
Action Taken:
1. **RESOLUTION** - Amending the Woodward Park Community Plan
Action Taken:
- 11:00 A.M.(1)** **HEARING** to consider Plan Amendment No. 98-18, Rezoning Application No. 98-30, filed by David Ochoa, for 6.3 acres located on the northeast corner of E. Butler and S. Chestnut Avenues
1. **RESOLUTION** - Amending the Roosevelt Community Plan
2. **BILL** - Amending the Official Zone Map from the C-2/BA-30 zone district to the C-2 zone district
(Continue to 1/5/99 at 11:00 a.m.)
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 11:00 A.M.(2)** Determination to hold a public hearing to review the Fresno City Planning Commission's action on Variance Application No. V-98-24, filed by David Ochoa, for property located on the northeast corner of S. Chestnut and E. Butler Avenues

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Action Taken:

11:15 A.M. HEARING regarding initiation of Fresno-Chandler Airport Master and Environs Specific Plan

Action Taken:

1. * **RESOLUTION** - Initiating the repeal of the Fresno-Chandler Downtown Airport Environs Specific Plan (1982); repeal the 1993 Master Plan, Fresno-Chandler Downtown Airport (1976); adoption of a new Fresno-Chandler Airport Master and Environs Specific Plan; amendment to Airport related property development policies and standards of the Edison Community Plan (1977); amendment to Airport related property development policies and standards of the Roeding Business Park Redevelopment Plan (1997); amendment to Airport related property development policies and standards of the Southwest Fresno General Neighborhood Renewal Area Project Plan (1969); and amendment to Fresno-Chandler Airport related property development policies and standards of the Fresno General Plan (1984)

Action Taken:

11:30 A.M. HEARING to consider for adoption an amendment to Resolution of Public Use and Necessity No.98-302, for acquisition of easements from Hugo Kevorkian, et al., and adopt a resolution of public use and necessity for acquisition of easements from the Dalena Trust, et al., for construction of the Grantland Trunk Sewer Line

Action Taken:

1. * **RESOLUTION** -Amending Exhibit “B” to Resolution No. 98-302 to revise and reduce the permanent and temporary construction easements to be acquired from the Hugo Kevorkian, et al. property for the construction of a fifteen-inch sewer lateral line to the Grantland Trunk Sewer Line

Action Taken:

2. * **RESOLUTION** - Determining that the public interest and necessity require the construction of the Grantland Avenue Trunk Sewer Project, and the acquisition of permanent and temporary construction easements within or contiguous to the Gwen Dalena, et al. property

Action Taken:

1:55 P.M. Acceptance of Resignation of Mike Briggs and Appointment of Tom Boyajian to the Office of First District Council Member

Action Taken:

1. **RESOLUTION** - Declaring a vacancy in the office of Councilmember for District One and appointing Tom Boyajian to serve the remainder of the unexpired term

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M.#2 **CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Myrna Loran v. City of Fresno

***ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION**

Action Taken:

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)

1. **Case Name:** Claim of Roscoe Teague

Action Taken:

- C. CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6 (Councilmember Perea)

City Negotiator(s): Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza

Employee Organization(s): City of Fresno Professional Employees Association (CFPEA)

Action Taken:

2:30 P.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of December 1, 1998

Action Taken:

- A. HEARING** to consider matters relating to the proposed Hauter family development in the Jefferson Redevelopment Project Area

Action Taken:

1. Adopt the Negative Declaration under Environmental Assessment (E.A.) No. S-98-291
2. **RESOLUTION** - Approving the Disposition and Development Agreement between the Redevelopment Agency ("Agency") and Mohamed S. and Gamilah Hauter, husband and wife ("the Hauters") regarding a proposed commercial mixed-use development at 264-274 N. Fresno Street, and facade improvements to 288-294 N. Fresno Street (*Council and Agency action*)

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:30 P.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED

- B.** Consider matters relating to the Airport Area Revitalization Redevelopment Project

1. **RESOLUTION** - Initiating preparation of a redevelopment plan for the redevelopment of the Airport Area Revitalization Redevelopment Project (*Council action*)

Action Taken:

2. **RESOLUTION** - Accepting the preliminary plan, directing the preparation of an official plan using tax increment financing for the redevelopment of the Airport Area Revitalization Redevelopment Project Area and authorizing and directing submittal of

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

information to taxing officials and agencies (*Agency action*)

Action Taken:

ADJOURN AGENCY

3:00 P.M. Direct staff to enforce all laws and code violations - Councilmember Bredefeld

Action Taken:

3:15 P.M. * Direct staff to complete a lease agreement within 30 days with Manchester Center to open a full service Utility Department using the \$138,000 approved in the FY 98/99 budget - Councilmember Perea

Action Taken:

3:30 P.M. **HEARING** to consider the use of \$1,522,637 received under the FY '98 Local Law Enforcement Block Grant Program from the U.S. Department of Justice

Action Taken:

1. * **RESOLUTION** -8th amendment to PAR No. 98-160 adding eleven (11) positions to meet needs of the expanding Fresno Police Department

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

5:00 P.M. Invitation from the Historical Society to participate in the Christmas Tree Lighting Ceremony (2nd floor foyer) - Mayor Patterson

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. **RESOLUTION** - Approving Final Map for Tract No. 4637, a 154-lot commercial and industrial subdivision on 234.7 acres, located on the north side of W. Herndon Avenue between N. Ingram and N. Harrison Avenues

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Action Taken:

2. Approve substitution of subcontractor for contract with Tron Construction, Inc., for Fresno Yosemite International Airport FAR Part 150 SMART Program, Phase 4 Bid Group 8 CIP No. 180513/5930 Bid File No. 1848-10022

Action Taken:

3. **RESOLUTION** - Declaration of results from November 3, 1998, consolidated general election

Action Taken:

4. * **RESOLUTION** - 7th amendment to Salary Resolution No. 98-161 increasing the salary of the City Clerk

Action Taken:

5. * **RESOLUTION** - 55th amendment to the AAR No. 98-159 appropriating \$500 from District 2's infrastructure capital budget to sponsor the Liddell United Soccer Club

(Requires 5 affirmative votes)

Action Taken:

6. * **RESOLUTION** - 56th amendment to the AAR No. 98-159 appropriating \$900 from District 7's general infrastructure capital budget to fund the After School Home Center at Kings Canyon Middle School

(Requires 5 affirmative votes)

Action Taken:

1A. GENERAL CONSENT CALENDAR CONTINUED

7. * **RESOLUTION** - 57th amendment to the AAR No. 98-159 appropriating \$1,500 from District 7's general infrastructure capital budget to fund the Fresno City College Community Swim Program

(Requires 5 affirmative votes)

Action Taken:

8. Approve substitution of subcontractor for contract with Champion Industrial Contractors, Inc. for the Fresno Police Headquarters HVAC Remodel CIP No. 114900/5930 Bid File No. 1829-802

Action Taken:

9. Award a requirements contract for landscape maintenance services at City Hall

Action Taken:

10. Award contract for five (5) new police motorcycles

Action Taken:

11. Approve reappointment of Councilmember Quintero to the Fresno Madera Agency on Aging Board and appointment of Wilson H. Hanna IV to the Historic Preservation Commission - Mayor Patterson (***For adoption***)

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Action Taken:

12. Approve appointment of Nora J. Rivera to the Roosevelt Implementation Committee - Councilmember Quintero (*For adoption*)

Action Taken:

13. Adopt Trust Agreement between the City of Fresno Deferred Compensation Plan and Fidelity Management Trust Company relating to revisions of the Internal Revenue Code Section 457

Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

- 1.* **BILL** - Amending Section 9-804 of the Fresno Municipal Code relating to public nuisances, by declaring a pay telephone, wherein certain conditions exist, to be a public nuisance

Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A.* **BILL NO. B-104 (Intro. 12/1/98)** - Amending Section 8-1203, Subsection (d) of Section 8-1212.1 of the Fresno Municipal Code relating to Mobilehome Rent Review and Stabilization and automatic pass-through of annual government costs

Action Taken:

- B. Approve amendments to the Fresno Municipal Code and the Master Fee Resolution to create the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP)

1. * **BILL NO. B-108 (Intro 12/1/98)** - Repealing and adding sections to the Fresno Municipal Code to create the Simple Tiered Equity Program

Action Taken:

2. * **RESOLUTION** - 358th amendment to MFS Resolution No. 80-420 to add sewer facility charges for industrial and commercial users and amend various sewer connection charges

Action Taken:

3. **RESOLUTION** - Amending the map designating the Herndon trunk sewer service area

Action Taken:

4. * **RESOLUTION** - 359th amendment to MFS Resolution No. 80-420 to amend trunk sewer charges

Action Taken:

- C. * **BILL NO. B-105 (Intro. 12/1/98)** - Amending Section 2-1702 of the Fresno Municipal Code relating to membership by public safety officers/supervisors in the Fire and Police Retirement System

Action Taken:

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1. * **BILL NO. B-106 (Intro. 12/1/98)** - Amending Section 2-1702A of the Fresno Municipal Code relating to membership by public safety officers/supervisors in the Fire and Police Retirement System

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Direct staff to draft a resolution to name and designate the Wishon and Broadway bike lane the “Joyce Perry Memorial Bike Route” - Councilmember Perea

Action Taken:

- B. Direct City Manager to direct the Police Department to establish in Fiscal Year 2000, a fully funded Elderly Abuse Unit - Councilmember Quintero

Action Taken:

- C. **RESOLUTION** - Recognizing and supporting the trust fund established on behalf of Tiffany Perry, daughter of Joyce and Jimmy Perry - Councilmember Perea

Action Taken:

- D. Direct City Attorney to draft an amendment to the Fresno Municipal Code Section 8-133.1 - Graffiti Abatement Cost Recovery; Parental Civil Liability, to increase the penalties for graffiti offenders. Amendment to be brought back to Council within 60 days - Councilmember Perea

Action Taken:

1. Direct the Chief of Police to assign two additional officers to graffiti abatement

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS -** You may address the City Council at the conclusion of

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the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Redevelopment Agency Workshop (To be rescheduled)

Dec. 15 - 10:00 A.M. **HEARING** on P.A. No. 98-21, Rezone No. 98-31, filed by Don Pickett

Dec. 15 - 10:30 A.M. **HEARING** on Rezone Appl. No. R-98-38, filed by SIM Architects

Dec. 15 - 10:45 A.M. **HEARING** re: Behymer/Maple No. 2 Reorganization

Dec. 15 - 11:00 A.M. **HEARING** re: Rezone Appl. No. R-98-29, filed by Roy and Gloria Smilanick

Dec. 15 - 11:15 A.M. **HEARING** re: Rezone Appl. No. R-98-035, filed by Jeffrey Harrington

Dec. 15 - 2:30 P.M.(1) **CONTINUE HEARING** re: City of Fresno CF District No. 2, Annexation No. 7

Dec. 15 - 2:30 P.M.(2) **HEARING** re: City of Fresno C FD No. 2, Annexation No. 9

Dec. 22 - NO MEETING - CHRISTMAS WEEK

Dec. 29 - NO MEETING - NEW YEAR'S WEEK

Jan. 5 - 10:30 A.M. **CONTINUED HEARING** re: Freeway Agreement with the State of California for Route 180, from Chestnut Avenue to Termperance Avenue

Jan. 5 - 10:45 A.M. Discussion regarding 35 acres river bottom park - Council President Mathys

Jan. 5 - 11:00 A.M. **CONTINUED HEARING** re: P.A. No. A-98-18, Rezone Appl. No. R-98-30, filed by David Ochoa

Jan. 5 - 5:00 P.M. **CONTINUED HEARING** on Text Amendment No. TA-97-09 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to advertised structures (billboards)

Jan. 12 - 10:00 A.M. **HEARING** re: Rezone Application No. 98-33, filed by the Damone Group

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